

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

5:10-cv-37-RJC

LAQUEZ SIMMONS,

Plaintiff,

v.

CHAD SHARPE, et al.,

Defendants.

ORDER

THIS MATTER comes before the Court on Defendants' Motion for Discovery Protective Order. (Doc. No. 34).

In support of such motion, Defendants have shown that they have already produced all relevant documents requested by Plaintiff in their summary judgment materials. Defendants further contend that some of the documents requested by Plaintiff are privileged, as they are Defendants' personnel records, see N.C. GEN. STAT. § 126-23(d), or they are irrelevant, i.e., all documents referring to the Department of Correction's policy and procedure manual and documents relating to other use of force incidents at Alexander Correctional Institution. Defendants further contend that because they have pled and argued the defense of qualified immunity in their summary judgment motion, they are protected from engaging in discovery. Finding good cause for entry of the proposed Protective Order, Defendants' Motion for Protective Discovery Order will be allowed.

IT IS, THEREFORE, ORDERED that Defendants' Motion for Protective Order, (Doc. No. 34), is **GRANTED**.

Signed: February 29, 2012



Robert J. Conrad, Jr.
Chief United States District Judge

